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8 Ample International, Inc.,
Chen Chen a/k/a Jane Chen and Aprille Vergara
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10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12

13 LUKASIAN HOUSE, LLC,

14 Plaintiff,

15 vs.

16 AMPLE INTERNATIONAL, INC.,
17 CHEN CHEN a/k/a JANE CHEN,
APRILLE VERGARA,

18 Defendants.
19

Case No. 2:11-cv-06449-JFW-FMO

Hon. John F. Walter

**DEFENDANT'S NOTICE OF
MOTION AND MOTION FOR
PARTIAL SUMMARY
JUDGMENT**

DATE: April 23, 2012

TIME: 1:30 P.M.

CTRM: 16

Complaint Filed: 08/05/2011

Discovery Cutoff Date: 04/01/2012

Pretrial Conf.: 06/08/2012

Trial Date: 06/26/2012

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23 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

24 PLEASE TAKE NOTICE that on April 23, 2011, at 1:30 p.m. or as soon
25 thereafter as the matter may be heard before the Honorable John F. Walter,
26 located in Courtroom 16 of the United States District Courthouse, 312 North
27 Spring Street, Los Angeles, California, Defendants Ample International, Inc.,
28 Jane Chen and Aprille Vergara will bring on for hearing its Motion for Partial

1 Summary Judgment. The grounds for this motion are that Plaintiff has failed to
2 offer any evidence (1) that its alleged trade secrets either derive independent
3 economic value from being kept secret or that it took reasonable steps to ensure
4 their secrecy; (2) that Defendants were either unauthorized to access Plaintiff's
5 computer systems and data when they allegedly did so or that their purported
6 access damaged Plaintiff; (3) that Defendants overcame any technical or security
7 barriers when they purportedly accessed Plaintiff's computers; (4) that any
8 actionable alleged breaches of Defendants' duties of loyalty were the proximate
9 cause of damages to Plaintiff; (5) that Defendants engaged in any acts of unfair
10 competition; or (6) that Defendants intentionally interfered with Plaintiff's
11 prospective economic advantage. As a result, Defendants are entitled to judgment
12 as a matter of law on Plaintiff's claims for (1) misappropriation of trade secrets
13 (Claim 4); violations of the Computer Fraud and Abuse Act (Claim 2); (3)
14 violations of the California Comprehensive Computer Data Access and Fraud Act
15 (Claim 3); (4) breach of the duty of loyalty (Claim 8); (5) unfair competition
16 (Claim 5); and (6) Intentional Interference With Prospective Economic
17 Advantage (Claim 6).

18 This motion is based on the accompanying Memorandum of Points and
19 Authorities, Proposed Separate Statement of Uncontroverted Facts and
20 Conclusions of Law, Appendix of Deposition Testimony of Olga Batygin,
21 Appendix of Deposition Testimony of Luke Wang, Declaration of Edward R.
22 Schwartz, Declaration of Steven E. Lauridsen, Declaration of Stacy-Ann
23 Goodwin, Declaration of Aprille Vergara, Declaration of Jane Chen, and such
24 other and further documentary and oral testimony as may be adduced in
25 connection with this Motion.

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1 This motion is made following the conference of counsel pursuant to Local
2 Rule 7-3, which took place on March 13, 2012 and March 23, 2012.

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4 DATED: March 26, 2012

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

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7 By 
8 Edward R. Schwartz
Steven E. Lauridsen

9 Attorneys for Defendants,
10 Ample International, Inc., Chen Chen a/k/a
Jane Chen and Aprille Vergara

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